



**Response Under 37 C.F.R. §1.116**  
**Expedited Procedure Examining**  
**Examining Group 2638**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Casimer M. DeCusatis, et al.

**Examiner:** Hanh Phan

**Serial No.:** 09/891,895

**Art Unit:** 2638

**Filed:** June 26, 2001

**Docket:** FIS920010139US1 (14569)

**For:** METHOD AND SYSTEM FOR  
DISPERSION CONTROL OF  
ELECTROMAGNETIC SIGNALS  
IN COMMUNICATION NETWORKS

**Dated:** September 9, 2005

**Confirmation No.:** 2475

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. §1.116**

Sir:

In response to the Office Action of July 27, 2005, the Examiner rejected Claims 1-18, which are all of the pending claims, under the doctrine of obviousness-type double patenting.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313-1450 on September 9, 2005.

Dated: September 9, 2005

*John S. Sensny*  
John S. Sensny

More specifically, Claims 1-18 were rejected, under the doctrine of obviousness-type double patenting, as being unpatentable over claims in each of the following:

U.S. Patent Applications Nos. 09/865,256, 09/964,190, 09/975,266, 09/963,258, 09/944,271, 09/893,125 and 09/976,542; and

U.S. Patent Nos. 6,738,187, 6,643,424, 6,751,014, 6,724,786, 6,674,936, 6,654,152, 6,597,840 and 6,816,517.

The Office Action indicates that Terminal Disclaimers may be used to overcome these double patenting rejections.

In order to expedite an allowance of this application, Applicants are submitting herewith Terminal Disclaimers to overcome the above-identified double patenting rejections.

These Terminal Disclaimers put the application in condition for allowance without further amendment or argument. The Examiner is thus respectfully requested to enter these Terminal Disclaimers, to reconsider and to withdraw the double patenting rejections of Claims 1-18, and to allow these claims.

If the Examiner believes that a telephone conference with Applicants' Attorneys would be advantageous to the disposition of this case, the Examiner is asked to telephone the undersigned.

Respectfully submitted,

*John S. Sensny*  
John S. Sensny  
Registration No. 28,757  
Attorney for Applicants

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza – Suite 300  
Garden City, New York 11530  
(516) 742-4343  
JSS:jy  
Enclosures: Fifteen (15) Terminal Disclaimers